

JC10 Rec'd PCT/PTO 01 NOV 2005

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: ) Before the Examiner  
Robert Cummins )  
Serial No. 10/531,761 ) Group Art Unit  
Filed April 18, 2005 )  
MULTI-CAPACITY AMUSEMENT RIDE ) November 1, 2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

BOX PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On April 18, 2004, the above-identified nonprovisional patent application was filed by Express Mail (Receipt No. EV466868852US) without a declaration under 37 CFR 1.63.

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed September 22, 2005, enclosed

11/04/2005 MKAYPAGH 00000056 10531761

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65.00 0P

Express Mail Label No. EV466870330US

Date of Deposit: November 1, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sheyl L. Hattings

Signature of person mailing paper or fee

NO Refund FIRST FILED 4/18/05  
ask FOR REFUND 11/01/05 - Past REFUND date

herewith is the Declaration for Utility or Design Patent Application signed by the Inventors, together with a Credit Card Payment Form authorizing a charge of \$65 in accordance with 37 CFR 1.492(e).

Applicant filed an Assertion of Small Entity Status and Request for Refund of One Half of Original Filing Fee on November 1, 2005, and a copy is enclosed herewith for reference.

No extensions of time are believed to be necessary, but if any are deemed to be due, please charge the fees therefore to Deposit Account 23-3030.

Respectfully submitted

By: Clifford W. Browning  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,761	Robert Cummins	16962-2
		INTERNATIONAL APPLICATION NO.
		PCT/NZ03/00192
		I.A. FILING DATE
		10/18/2002
		PRIORITY DATE
		08/29/2003
CONFIRMATION NO. 4326		
371 FORMALITIES LETTER		
 *OC000000017068802*		

Date Mailed: 09/22/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/18/2005
- Copy of the International Search Report filed on 04/18/2005
- Preliminary Amendments filed on 04/18/2005
- Information Disclosure Statements filed on 04/18/2005
- Request for Immediate Examination filed on 04/18/2005
- U.S. Basic National Fees filed on 04/18/2005
- Priority Documents filed on 04/18/2005

RECEIVED

SEP 26 2005

Woodard, Emhardt, Moriarty,  
 McNett & Henry LLP

10-22-05  
 11-22-05  
 ENTERED  
 04-22-06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

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**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,761	PCT/NZ03/00192	16962-2

FORM PCT/DO/EO/905 (371 Formalities Notice)

Matter No./Case No. 16962-2 Initials/Date: CLB 4-18-05

**JC03 Rec'd PCT/PTO 18 APR 2005**

RECEIPT OF THE ATTACHED IS HEREBY ACKNOWLEDGED

Patent  Trademark  Copyright

Serial No. 10/531761

Applicant Cummins

Preliminary Amendment  
 Abstract  
 Int'l Application  
 Int'l Search Report  
 Return Receipt Postcard

Application # 31 of pages  
 Check for \$ PTD 2D38 \$1750  
 # 10 sheets of drawings  
 Declaration & Power of Attorney  
 Assignment & Recordation cover sheet  
 IDS# w/ 16, Enclosed References  
 Transmittal Form/PTO Form PTD 1390  
 Fee Transmittal/PTO Form \_\_\_\_\_  
 Amendment/Response to Office Action  
 Request for Extension of Time  
 Statement of Use  
 Specimen(s) # \_\_\_\_\_  
 Cover Letter

**EV466868852US**